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APPLICATION NO.	FILING DATE		· FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/508,945		10/01/2004	Sumie Suda	259727US0XPCT	259727US0XPCT 7750	
22850	7590	11/27/2006		EXAMINER		
C. IRVIN I		LLAND ICCLELLAND, M	YEE, DEBORAH			
1940 DUKE	•	,	ART UNIT	PAPER NUMBER		

1742 DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Total Mail Ling Date of this communication appears on the cover sheet with the correspondence address   Period for Reply		Application No.	Applicant(s)						
Deborah Yee   1742    - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the amplitude of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the amplitude of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the amplitude of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the amplitude of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the amplitude of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will expire 3X (4) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory prior of university and will reply fired. The prior the specified of this communication.  - If NO period for reply is specified to specified and the specified of the communication.  - If NO period for reply is specified to the specified of the specified of the specified on t									
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2a)  This action is FINAL. 2b) This action is non-final.  3  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed. 6)  Claim(s) is/are objected to. 7)  Claim(s) is/are objected to. 8)  Claim(s) 1-10 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b)  Some * c) None of: 1.  Certified copies of the priority documents have been received. 2.  Certified copies of the priority documents have been received in Application No 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.	Status								
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Art Unit: 1742

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-3, drawn to a steel wire.

Group II, claim(s) 4-10, drawn to spring.

- 2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The common technical feature that groups I and II share is the steel composition containing 5 particles/100 micons <sup>2</sup> or less of carbides whose circle-equivalent diameters are 0.1 microns or more. This composition does not provide a contribution over the prior art as evident by Japanese patent 2002180198 or US Patent 5,904,787 cited by applicant in IDS dated October 1, 2004. Thus the two groups lack unity of invention, see MPEP 1850.
- 3. A telephone call was made to Ms. Patricia Warhust on November 8, 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah Yee whose telephone number is 571-27211253. The examiner can normally be reached on monday-friday 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Deborah Yee Primary Examiner Art Unit 1742

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